

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS**

ANDREW CORZO, SIA HENRY, ALEXANDER
LEO GUERRA, MICHAEL MAERLENDER, BRANDON
PIYEVSKY, BENJAMIN SHUMATE, BRITTANY
TATIANA WEAVER, and CAMERON WILLIAMS,
individually and on behalf of all others similarly situated,

Plaintiffs,

v.

BROWN UNIVERSITY, CALIFORNIA INSTITUTE OF
TECHNOLOGY, UNIVERSITY OF CHICAGO, THE
TRUSTEES OF COLUMBIA UNIVERSITY IN THE CITY
OF NEW YORK, CORNELL UNIVERSITY, TRUSTEES
OF DARTMOUTH COLLEGE, DUKE UNIVERSITY,
EMORY UNIVERSITY, GEORGETOWN UNIVERSITY,
THE JOHNS HOPKINS UNIVERSITY,
MASSACHUSETTS INSTITUTE OF TECHNOLOGY,
NORTHWESTERN UNIVERSITY, UNIVERSITY OF
NOTRE DAME DU LAC, THE TRUSTEES OF THE
UNIVERSITY OF PENNSYLVANIA, WILLIAM MARSH
RICE UNIVERSITY, VANDERBILT UNIVERSITY, and
YALE UNIVERSITY,

Defendants.

Case No. 1:22-cv-00125-MFK

Judge Matthew F. Kennelly

**DECLARATION OF STEVEN WEISBROT, ESQ. OF ANGEION GROUP LLC
RE: THE PROPOSED REVISED NOTICE PLAN**

I, Steven Weisbrot, Esq., declare under penalty of perjury as follows:

1. I am the President and Chief Executive Officer at the class action notice and claims administration firm Angeion Group, LLC (“Angeion”). Angeion specializes in designing, developing, analyzing, and implementing large-scale legal notification plans.
2. I have personal knowledge of the matters stated herein. In forming my opinions regarding notice in this action, I have communicated with class counsel and reviewed relevant pleadings and

other documents relating to the case, in addition to drawing from my extensive class action notice experience.

3. Background information on my professional experience and Angeion’s expertise with the design and implementation of hundreds of court-approved notice and administration programs, including some of the largest and most complex notice plans in recent history, is set forth in my prior declaration submitted with the preliminary approval motion of the University of Chicago Settlement. *See* Declaration of Steven Weisbrot, Esq. of Angeion Group LLC re the Proposed Notice Plan, ¶¶ 3-10 & Exhibit A (ECF No. 428-7).

4. On September 9, 2023, the Court preliminarily approved the Plaintiffs’ proposed class settlement with defendant University of Chicago. *See* ECF No. 439 (“University of Chicago Preliminary Approval Order”). As part of that preliminary approval, the Court appointed Angeion as the Settlement Claims Administrator and it approved the proposed notice plan. *See id.* ¶¶ 8, 14-15.

5. Subsequently, Plaintiffs settled with five additional Defendants: Brown University (“Brown”), The Trustees of Columbia University in the City of New York (“Columbia”), Duke University (“Duke”), Emory University (“Emory”), and Yale University (“Yale”) (these settling defendants collectively, the “Second Tranche Settling Universities” or “Second Tranche Settling Defendants;” and these settlements, the “Second Tranche Settlements”).

6. This declaration describes a revised plan for notice (the “Revised Notice Plan”) that for efficiency purposes and to avoid class member confusion modifies the previously approved notice plan to provide information on all settlements achieved to date. The Plaintiffs and the University of Chicago have agreed to modify the Settlement Class definition set forth in their settlement agreement, ECF No. 428-3, Ex. A (“University of Chicago Settlement Agreement”), to conform to the definition in the settlement agreements for the Second Tranche Settlements. This accommodation will allow a common class notice, to a commonly defined class, for the University of Chicago Settlement and the Second Tranche Settlements.

7. The form and manner of notice described in this Revised Notice Plan is substantively the same as the form and manner of notice the Court preliminarily approved for the University of Chicago

Settlement, except that (a) the revised forms of notice are updated to include information on all the Settlements to date, (b) the revised notices include the new proposed Settlement Class Definition and revised forms of releases in the settlement agreements for the Second Tranche Settlements, and (c) the revised notices would update the deadlines for the rest of the settlement approval process.

8. In the sections below, the term “Settlements” shall refer to the University of Chicago Settlement and the Second Tranche Settlements.

9. The terms “Settling Defendants” and “Settling Universities” shall refer to the University of Chicago and the Second Tranche Settling Defendants.

10. The term “Settlement Agreement(s)” shall refer to the separate settlement agreements with the University of Chicago Settlement and the Second Tranche Settling Defendants.

11. This declaration will describe the Revised Notice Plan that, if approved by the Court, Angeion will implement in this matter, including the considerations that informed the development of the plan and why it will provide due process to the Settlement Class in an effective and efficient manner.

SUMMARY OF THE REVISED NOTICE PLAN

12. Based on the Settlement Agreements, the Settlement Class is defined as follows: All U.S. citizens or permanent residents who have during the Class Period (a) enrolled in one or more of Defendants’ full-time undergraduate programs, (b) received at least some need-based financial aid from one or more Defendants, and (c) whose tuition, fees, room, or board to attend one or more of Defendants’ full-time undergraduate programs was not fully covered by the combination of any types of financial aid or merit aid (not including loans) in any undergraduate year.¹ The Class Period is defined as follows:

- For Chicago, Columbia, Cornell, Duke, Georgetown, MIT, Northwestern, Notre Dame, Penn, Rice, Vanderbilt, Yale—from Fall Term 2003 through the date the Court enters an order preliminarily approving the Settlement.
- For Brown, Dartmouth, Emory—from Fall Term 2004 through the date the Court

¹ For avoidance of doubt, the Class does not include those for whom the total cost of attendance, including tuition, fees, room, and board for each undergraduate academic year, was covered by any form of financial aid or merit aid (not including loans) from one or more Defendants.

enters an order preliminarily approving the Settlement.

- For Caltech—from Fall Term 2019 through the date the Court enters an order preliminarily approving the Settlement.
- For Johns Hopkins—from Fall Term 2021 through the date the Court enters an order preliminarily approving the settlement.
- Excluded from the Class are:
 - i. Any Officers² and/or Trustees of Defendants, or any current or former employees holding any of the following positions: Assistant or Associate Vice Presidents or Vice Provosts, Executive Directors, or Directors of Defendants' Financial Aid and Admissions offices, or any Deans or Vice Deans, or any employees in Defendants' in-house legal offices; and
 - ii. The Judge presiding over this action, his or her law clerks, spouse, and any person within the third-degree of relationship living in the Judge's household and the spouse of such a person.

It is my understanding that this group includes students and former students at the seventeen elite university defendants in this case from 2003 through the date the Court enters an order preliminarily approving the Settlements. Based on my research, I am aware that this case has received substantial media coverage and is being followed by reporters from multiple national publications including the *New York Times*³ and the *Wall Street Journal*.⁴ I expect that the filing of these Settlements will be covered extensively in the press. The proposed Revised Notice Plan intends to capitalize on this free

² For the avoidance of doubt, the Columbia University “Officers” excluded from the Class are members of the Senior Administration of Columbia University, and do not include exempt employees of Columbia University who are referred to as officers.

³ Stephanie Saul and Anemona Hartocolis, *Lawsuit Says 16 Elite Colleges Are Part of Price-Fixing Cartel*, <https://www.nytimes.com/2022/01/10/us/financial-aid-lawsuit-colleges.html> (last visited July 10, 2023).

⁴ Melissa Korn, *Yale, Georgetown, Other Top Schools Illegally Collude to Limit Student Financial Aid, Lawsuit Alleges*, <https://www.wsj.com/articles/yale-georgetown-other-top-schools-illegally-collude-to-limit-student-financial-aid-lawsuit-alleges-11641829659> (last visited July 10, 2023).

public exposure of the case and the Settlements by implementing a comprehensive media campaign, as described below. I do understand that Plaintiffs' Counsel have collected the names and addresses of multiple members of the Settlement Class who have asked for information about the case, and that all of the Defendants have provided Settlement Class Member email addresses and postal address information from their alumni databases during the relevant periods, where available. Thus, Angeion has available a relatively comprehensive set of email addresses for a large share of the members of the Settlement Class. For that large share of Settlement Class members for whom valid email address information is available, notice will be sent via email. The email will contain a "summary notice" ("Revised Summary Notice") in the form attached hereto as **Exhibit A**. To the extent that Angeion receives "bounce backs" from email addresses, and postal addresses are available for those persons, Angeion will send the "long form notice" ("Revised Long Form Notice") via first class mail to those persons. The Revised Long Form Notice is attached hereto as **Exhibit B**. Settlement Class Members will also be able to download a copy of the Revised Long Form Notice from the Settlement Website, or by requesting it via email, mail, or the toll-free hotline.

13. The proposed Revised Notice Plan provides for a relatively comprehensive direct email notice process, coupled with a robust multi-tiered media campaign strategically designed to provide notice to Settlement Class Members via a variety of additional methods, including state-of-the-art targeted internet notice, social media notice, a paid search campaign, and two press releases. The Revised Notice Plan also provides for the implementation of a dedicated Settlement Website and a toll-free telephone line where Settlement Class Members can learn more about their rights and options pursuant to the terms of the Settlements.

14. As discussed in greater detail below, separate and apart from the direct email or mailed notice procedure, the media campaign alone is designed to deliver an approximate 75.31% reach with an average frequency of 3.22 times to an audience that we have modelled to include the vast majority of members of the Settlement Class (the "Target Audience"). What this means in practice is that 75.31% of our Target Audience (defined more specifically in paragraph 18 below) will see a digital advertisement concerning the lawsuit an average of 3.22 times each. This number is calculated using

objective syndicated advertising data relied upon by most advertising agencies and brand advertisers. It is further verified by sophisticated media software and calculation engines that cross reference which media is being purchased with the media habits of our specific Target Audience. It is important to note that the Target Audience is distinct from the class definition, and is used as a proxy audience, as is commonplace in class action notice plans.

15. The Federal Judicial Center states that a publication notice plan that reaches 70% of class members is one that reaches a “high percentage” and is within the “norm.” Barbara J. Rothstein & Thomas E. Willging, Federal Judicial Center, “Managing Class Action Litigation: A Pocket Guide for Judges,” at 27 (3d Ed. 2010).

MEDIA CAMPAIGN

16. Angeion’s comprehensive media campaign will utilize a carefully tailored mix of programmatic display advertising, social media notice, search engine marketing and two press releases to effectively and efficiently diffuse notice of the Settlements through a variety of mediums. Angeion will be sure to build upon the free media attention to the case and the significant amount of anticipated national publicity that will accompany the filing of the settlement papers.

Programmatic Display Advertising

17. Angeion will also utilize a form of internet advertising known as Programmatic Display Advertising, which is the leading method of buying digital advertisements in the United States,⁵ to provide notice of the Settlements to Settlement Class Members. The media notice outlined below is strategically designed to provide notice by driving Settlement Class Members to the dedicated Settlement Website, where they can learn more about the Settlements, including their rights and options.

⁵ Programmatic Display Advertising is a trusted method specifically utilized to reach defined target audiences. It has been reported that U.S. advertisers spent nearly \$105.99 billion on programmatic display advertising in 2021, and it is estimated that approximately \$123.22 billion will be spent on programmatic display advertising in 2022. See <https://www.emarketer.com/content/us-programmatic-digital-display-ad-spending-2022>. In laypeople’s terms, programmatic display advertising is a method of advertising where an algorithm identifies and examines demographic profiles and uses advanced technology to place advertisements on the websites where members of the audience are most likely to visit (these websites are accessible on computers, mobile phones and tablets).

18. To develop the media notice campaign and to verify its effectiveness, our media team analyzed data from 2022 comScore Multi-Platform/MRI Simmons USA Fusion⁶ to profile the Settlement Class and arrive at an appropriate target group (“Target Audience”) based on criteria pertinent to this Settlements. Specifically, the following syndicated research definition was used to profile potential Settlement Class Members:

- Respondent: Attended College: YES
- Loans and Mortgages: Personal Loan for Education (Student Loan) Have Personally or Jointly Utilized
- Ages 18-44

19. The Target Audience was identified and selected based on the composition of the Settlement Class based on the Settlement Class definition and Settlement Class Period(s). For example, the age group qualifier (ages 18-44) includes potential Settlement Class Members from the earliest year amongst the Settlement Class Periods (2003), while still capturing those included at the end of the Class Period (*i.e.*, close to the present). Likewise, the Target Audience specifically consists of those individuals who attended college. Here, the Settlement Class includes those who enrolled in one or more of the seventeen University Defendants full-time undergraduate programs over many years. The objective syndicated data does not allow us to measure against specific universities’ student or alumni thereof; however, multiple targeting layers utilizing the Target Audience’s online interests and behaviors will be used to further refine the delivery of media advertisements to those most likely to be Settlement Class Members (e.g., being a member of an alumni group of one of the seventeen Defendants on social media). Lastly, inclusion in the Settlement Class requires that the Settlement Class Members have received at least some need-based financial aid from one or more Defendants.

20. Based on the Target Audience definition used, the size of the Target Audience is approximately

⁶ GfK MediaMark Research and Intelligence LLC (“GfK MRI”) provides demographic, brand preference and media-use habits, and captures in-depth information on consumer media choices, attitudes, and consumption of products and services in nearly 600 categories. comSCORE, Inc. (“comSCORE”) is a leading cross-platform measurement and analytics company that precisely measures audiences, brands, and consumer behavior, capturing 1.9 trillion global interactions monthly. comSCORE’s proprietary digital audience measurement methodology allows marketers to calculate audience reach in a manner not affected by variables such as cookie deletion and cookie blocking/rejection, allowing these audiences to be reach more effectively. comSCORE operates in more than 75 countries, including the United States, serving over 3,200 clients worldwide.

12,061,000 individuals in the United States. Utilizing an overinclusive proxy audience maximizes the efficacy of the Revised Notice Plan and is considered a best practice among media planners and class action notice experts alike. Using proxy audiences is also commonplace in both class action litigation and advertising generally.⁷

21. Additionally, the Target Audience is based on objective syndicated data, which is routinely used by advertising agencies and experts to understand the demographics, shopping habits, and attitudes of the consumers that they are seeking to reach.⁸ Using this form of objective data will allow the Parties to report the reach and frequency to the Court with confidence that the reach percentage and the number of exposure opportunities comply with due process and exceed the Federal Judicial Center's threshold as to reasonableness in notification programs. Virtually all professional advertising agencies and commercial media departments use objective syndicated data tools, like the ones described above, to quantify net reach. Sources like these guarantee that advertising placements can be measured against an objective basis and confirm that the reporting statistics are not overstated. Objective syndicated data tools are ubiquitous tools in a media planner's arsenal and are regularly accepted by courts in evaluating the efficacy of a media plan or its component parts. Understanding the socioeconomic characteristics, interests and practices of a target group aids in the proper selection of media to reach that target. Here, the objective syndicated data from 2022 comScore Multi-Platform/MRI Simmons USA Fusion reports that the Target Audience has the following characteristics:

- 100% are ages 18-44, with a median age of 32.4 years old;

⁷ If the total population base (or number of class members) is unknown, it is accepted advertising and communication practice to use a proxy-media definition, which is based on accepted media research tools and methods that will allow the notice expert to establish that number. The percentage of the population reached by supporting media can then be established. *See Guidelines and Best Practices Implementing 2018 Amendments to Rule 23 Class Action Settlement Provisions*, Bolch Judicial Institute, Duke Law Center for Judicial Studies, at 56 (2018), <https://scholarship.law.duke.edu/cgi/viewcontent.cgi?article=1003&context=bolch> (“*Guidelines and Best Practices*”).

⁸ The Revised Notice Plan will include an analysis of the makeup of the Settlement Class. The target audience should be defined and quantified. This can be established through using a known group of persons, or it can be based on a proxy-media definition. Both methods have been accepted by the courts and, more generally, by the advertising industry, to determine a population base. *See Guidelines and Best Practices*, at 56.

- 61.11% are female;
- 48.67 % are married;
- 46.20% have children;
- 61.33% have received a bachelor's or post-graduate degree;
- 69.54% are currently employed full time;
- The average household income is \$109,820; and
- 94.79% have used social media in the last 30 days.

22. To identify the best vehicles to deliver messaging to the Target Audience, the media quintiles, which measure the degree to which an audience uses media relative to the general population, were reviewed. Here, the objective syndicated data shows that members of the Target Audience are heavy internet users, spending an average of approximately 34.9 hours per week on the internet.

23. Given the strength of digital advertising, as well as our Target Audience's consistent internet use, we recommend utilizing a robust internet advertising campaign to reach Settlement Class Members. This media schedule will allow us to deliver an effective reach level and frequency, which will provide due and proper notice to the Settlement Class.

24. Multiple targeting layers will be implemented into the programmatic campaign to help ensure delivery to the most appropriate users, inclusive of the following tactics:

- Look-a-like Modeling: This technique utilizes data methods to build a look-a-like audience against known Settlement Class Members.
- Predictive Targeting: This technique allows technology to "predict" which users will be served by the advertisements about the Settlements.
- Audience Targeting: This technique utilizes technology and data to serve the impressions to the intended audience based on demographics, purchase behaviors and interests.
- Site Retargeting: This technique is a targeting method used to reach potential Settlement Class Members who have already visited the dedicated website while they browsed other pages. This allows Angeion to provide a potential Settlement Class Member sufficient exposure to an advertisement about the Settlements.

- Geotargeting: The campaign will run nationally.

25. To combat the possibility of non-human viewership of digital advertisements and to verify effective unique placements, Angeion employs Oracle's BlueKai, Adobe's Audience Manger, and/or Lotame, which are demand management platforms ("DMP"). DMPs allow Angeion to learn more about the online audiences that are being reached. Further, online ad verification and security providers such as Comscore Content Activation, DoubleVerify, Grapeshot, Peer39, and Moat will be deployed to provide a higher quality of service to ad performance.

Social Media

26. The Revised Notice Plan also includes a social media campaign utilizing Facebook and Instagram, two of the leading social media platforms⁹ in the United States. The social media campaign uses an interest-based approach which focuses on the interests that users exhibit while on these social media platforms.

27. The social media campaign will engage with the Target Audience desktop sites, mobile sites, and mobile apps. Additionally, specific tactics will be implemented to further qualify and deliver impressions to the Target Audience. *Look-a-like modeling* allows the use of consumer characteristics to serve ads. Based on these characteristics, we can build different consumer profile segments to ensure the Revised Notice Plan messaging is delivered to the proper audience. *Conquesting* allows ads to be served in relevant placements to further alert potential Settlement Class Members of the Settlements. The social media ads will run nationally.

28. The social media campaign will coincide with the programmatic display advertising portion of the Revised Notice Plan. Combined, these media notice efforts are designed to deliver approximately twenty-nine million impressions. To track campaign success, we will implement conversion pixels throughout the dedicated website to understand audience behavior better and identify those most likely to convert. The programmatic algorithm will change based on success and

⁹ In 2023, Facebook has a reported 243.58 million users, and Instagram has a reported 150.99 million users. See STATISTA, *Number of Facebook Users in the United States from 2018 to 2027* (last visited Jan. 10, 2024), <https://www.statista.com/statistics/408971/number-of-us-facebook-users/>; STATISTA, *Number of Instagram, Snapchat, and TikTok Users in the United States from 2020 to 2023* (last visited Jan. 10, 2024), <https://www.statista.com/statistics/293771/number-of-us-instagram-users>.

failure to generate conversions throughout the process to provide the most effective messaging.

Paid Search Campaign

29. The Revised Notice Plan also includes a paid search campaign on Google to help drive Settlement Class Members who are actively searching for information about the litigation to the dedicated website. Paid search ads will complement the programmatic and social media campaigns, as search engines are frequently used to locate a specific website, rather than a person typing in the URL. Search terms would relate to not only the Settlements themselves but also the subject matter of the lawsuit. In other words, the paid search ads are driven by the individual user's search activity, such that if that individual searches for (or has recently searched for) the Settlements, or other terms related to the litigation, that individual could be served with an advertisement directing them to the dedicated website.

Press Release

30. Angeion will also cause two press releases to be distributed over PR Newswire (or a similar press release distribution service) to further diffuse news of the Settlements. The press releases will help garner "earned media" (*i.e.*, other media outlets and/or publications will report the story) to supplement the comprehensive notice efforts outlined herein, which will lead to increased awareness and participation amongst members of the Settlement Class.

DIRECT NOTICE

31. Angeion has received email and postal address information for a large share of the members of the Settlement Class from all seventeen Defendants. As such, the Revised Notice Plan provides for sending email notice containing the text from the proposed Revised Summary Notice (**Exhibit A**) formatted into the body of the email. The Revised Notice Plan further provides for sending the Revised Long Form Notice (**Exhibit B**) via first class U.S. mail, postage pre-paid to Settlement Class Members without a valid email address, Settlement Class Members whose email notice could not be delivered, and to potential Settlement Class Members and those Settlement Class Members who ask Angeion or Class Counsel for a mailed Revised Long Form Notice. The forms of notice will also both be available on the Settlement Website.

32. Angeion designs the email notice to avoid many common “red flags” that might otherwise cause a Settlement Class Member’s spam filter to block or identify the email notice as spam. For example, Angeion does not include attachments like the Revised Long Form Notice to the email notice because attachments are often interpreted by various Internet Service Providers (“ISP”) as spam. Angeion also accounts for the real-world reality that some emails will inevitably fail to be delivered during the initial delivery attempt. Therefore, after the initial noticing campaign is complete, Angeion, after an approximate 24- to 72-hour rest period (which allows any temporary block at the ISP level to expire) causes a second round of email noticing to continue to any email addresses that were previously identified as soft bounces and not delivered. In our experience this minimizes emails that may have erroneously failed to deliver due to sensitive servers and optimizes delivery.

33. Angeion will employ best practices to increase the deliverability rate of the mailed Notices. Angeion will cause the mailing address information for members of the Settlement Class to be updated utilizing the United States Postal Service’s (“USPS”) National Change of Address database, which provides updated address information for individuals or entities who have moved during the previous four years and filed a change of address with the USPS.

34. Notices returned to Angeion by the USPS with a forwarding address will be re-mailed to the new address provided by the USPS and the Settlement Class Member records will be updated accordingly with the new address information.

35. Notices returned to Angeion by the USPS without forwarding addresses will be subjected to an address verification search (commonly referred to as “skip tracing”) utilizing a wide variety of data sources, including public records, real estate records, electronic directory assistance listings, etc., to locate updated addresses.

36. Notices will be re-mailed to Settlement Class Members for whom updated addresses were obtained via the skip tracing process.

37. In addition, the Long Form Notice will be emailed to anyone who requests one via the toll-free number or by email or mail. The Long Form Notice will also be available for downloading or printing at the Settlement Website.

SETTLEMENT WEBSITE & TOLL-FREE TELEPHONE SUPPORT

38. The Revised Notice Plan will also implement the creation of a case-specific Settlement Website where Settlement Class Members can easily view general information about the Settlements, review relevant Court documents, and view important dates and deadlines pertinent to the Settlements. The Settlement Website will be designed to be user-friendly and make it easy for Settlement Class Members to find information about these Settlements. The Settlement Website will also have a “Contact Us” page whereby Settlement Class Members can send an email with any additional questions to a dedicated email address. Likewise, Settlement Class Members will also be able to submit a claim form online via the Settlement Website and securely upload documentation at the appropriate time in the process after final approval. Angeion understands that Class Counsel intend to submit a detailed proposed procedure for the Revised Allocation Plan, including proposed Claim Forms and a schedule for the Claims Process, in their brief in support of final approval.

39. A toll-free hotline devoted to this case will be implemented to further apprise Settlement Class Members of their rights and options pursuant to the terms of the Settlements. The toll-free hotline will utilize an interactive voice response (“IVR”) system to provide Settlement Class Members with responses to frequently asked questions and provide essential information regarding the Settlements. This hotline will be accessible 24 hours a day, 7 days a week. Additionally, Settlement Class Members will be able to leave a request to have the Notice and/or Claim Form mailed to them at the appropriate time in the process after final approval.

DATA SECURITY & INSURANCE

40. Angeion recognizes the critical need to secure our physical and network environments and protect data in our custody. It is our commitment to these matters that has made us the go-to administrator for many of the most prominent data security matters of this decade. We are constantly improving upon our robust policies, procedures, and infrastructure by periodically updating data security policies as well as our approach to managing data security in response to changes to physical environment, new threats and risks, business circumstances, legal and policy implications, and evolving technical environments.

41. Angeion's privacy practices are compliant with the California Consumer Privacy Act, as currently drafted. Consumer data obtained for the delivery of each project is used only for the purposes intended and agreed in advance by all contracted parties, including compliance with orders issued by state or federal courts as appropriate. Angeion Group imposes additional data security measures for the protection of Personally Identifiable Information ("PII") and Personal Health Information ("PHI"), including redaction, restricted network and physical access on a need-to-know basis, and network access tracking. Angeion requires background checks of all employees, requires background checks and ongoing compliance audits of its contractors, and enforces standard protocols for the rapid removal of physical and network access in the event of an employee or contractor termination.

42. Data is transmitted using Transport Layer Security ("TLS") 1.3 protocols. Network data is encrypted at rest with the government and financial institution standard of AES 256-bit encryption. We maintain an offline, air-gapped backup copy of all data, ensuring that projects can be administered without interruption.

43. Further, our team stays on top of latest compliance requirements, such as GDPR, HIPAA, PCI DSS, and others, to ensure that our organization is meeting all necessary regulatory obligations as well as aligning to industry best practices and standards set forth by frameworks like CIS and NIST. Angeion is cognizant of the ever-evolving digital landscape and continually improves its security infrastructure and processes, including partnering with best-in-class security service providers. Angeion's robust policies and processes cover all aspects of information security to form part of an industry leading security and compliance program, which is regularly assessed by independent third parties. Angeion is also committed to a culture of security mindfulness. All employees routinely undergo cybersecurity training to ensure that safeguarding information and cybersecurity vigilance is a core practice in all aspects of the work our teams complete.

44. Angeion currently maintains a comprehensive insurance program, including sufficient Errors & Omissions coverage.

REACH AND FREQUENCY

45. This declaration describes the reach and frequency evidence, which courts systemically rely

upon in reviewing class action publication notice programs for adequacy. The reach percentage exceeds the guidelines as set forth in the Federal Judicial Center's Judges' Class Action Notice and Claims Process Checklist and Plain Language Guide to effectuate a notice program which reaches a high degree of the members of the Settlement Class.

46. Specifically, the comprehensive media campaign is designed to deliver an approximate 75.31% reach with an average frequency of 3.22 times each. It should be noted that the 75.31% reach approximation is separate and apart from the direct notice efforts, Settlement Website, and toll-free telephone support.

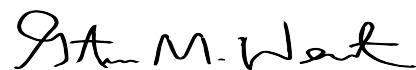
CONCLUSION

47. The Revised Notice Plan outlined herein provides for direct notice via email or mail to all reasonably identifiable Settlement Class Members, combined with a robust, multi-faceted media campaign. The Revised Notice Plan also includes the implementation of a dedicated Settlement Website and toll-free hotline to further inform Settlement Class Members of their rights and options regarding the Settlements.

48. In my professional opinion, the Revised Notice Plan described herein will provide full and proper notice to Settlement Class Members before the claims, opt-out, and objection deadlines. Moreover, it is my opinion that the Revised Notice Plan is the best notice that is practicable under the circumstances and fully comports with due process, and Fed. R. Civ. P. 23. After the Revised Notice Plan has been executed, Angeion will provide a final report verifying its effective implementation to this Court.

I hereby declare under penalty of perjury that the foregoing is true and correct.

Dated: January 22, 2024



STEVEN WEISBROT